

EXHIBIT A

046-027118

RJS

#48188

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

JESUS MADRID,

Plaintiff,

v.

US XPRESS LEASING, INC.,
a corporation, and LATRELL
STRICKLAND,

Defendants.

No.

2017L000650
CALENDAR/ROOM H
TIME 00:00
TI Motor Vehicle

2017 JUN 19 PM 1:36
CLERK OF COURT
JULIA A. HARRIS

COMPLAINT AT LAW

COUNT I
(LATRELL STRICKLAND)

NOW COMES Plaintiff, JESUS MADRID, by his attorneys, TARPEY, JONES & SCHROEDER, LLC and the LAW OFFICE OF M. ANDREW HAMILTON, P.C., and complains of Defendant, LATRELL STRICKLAND, and states as follows.

1. On October 29, 2016, and at all times relevant herein, Interstate 80 ("I-80") was and is a public roadway running in a generally Easterly and Westerly direction at or near Chicago Street, City of Joliet, State of Illinois.

2. On October 29, 2016, and at all times relevant herein, Plaintiff, JESUS MADRID, drove, operated and otherwise controlled a motor vehicle in a Westerly direction on I-80, at or near the Chicago Street exit, in the City of Joliet, State of Illinois.

3. On October 29, 2016, and at all times relevant herein, Defendant, LATRELL

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STRICKLAND, drove, operated and otherwise controlled a motor vehicle, to wit, a semi-tractor, in a Westerly direction on I-80, at or near the Chicago Street exit, in the City of Joliet, State of Illinois.

4. On October 29, 2016, and at all times relevant herein, the vehicle being operated by Defendant, LATRELL STRICKLAND, was owned by Defendant, US XPRESS LEASING, INC., a corporation.

5. On October 29, 2016, and at all times relevant herein, US XPRESS LEASING, INC., was and is a corporation engaged in conducting business in the County of Cook and throughout the State of Illinois as a commercial trucking company.

6. On October 29, 2016, and at all times relevant herein, Defendant, LATRELL STRICKLAND, was an employee of Defendant, US XPRESS LEASING, INC., a corporation.

7. On October 29, 2016, and at all times relevant herein, Defendant, LATRELL STRICKLAND, was acting within the course and scope of his employment with Defendant, US XPRESS LEASING, INC., a corporation.

8. On October 29, 2016, and at all times relevant herein, Defendant, LATRELL STRICKLAND, was an agent of Defendant, US XPRESS LEASING, INC., a corporation.

9. On October 29, 2016, and at all times relevant herein, Defendant, LATRELL STRICKLAND, was acting within the course and scope of his agency relationship with Defendant, US XPRESS LEASING, INC., a corporation.

10. On October 29, 2016, and at all times relevant herein, Defendant, LATRELL STRICKLAND, operated the aforesaid semi-tractor, owned by Defendant, US XPRESS

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LEASING, INC., while under dispatch from Defendant, US XPRESS LEASING, INC., a corporation.

11. On October 29, 2016, and at all times relevant herein, Defendant, LATRELL STRICKLAND, operated the aforesaid semi-tractor, owned by Defendant, US XPRESS LEASING, INC., a corporation, while possessing documentation and other signage belonging to or identified with Defendant, US XPRESS LEASING, INC., a corporation.

12. On October 29, 2016, and at all times relevant herein, Defendant, LATRELL STRICKLAND, drove his vehicle to the right, out of his westbound lane of travel on I-80, and into the westbound lane of travel then and there being occupied by Plaintiff, JESUS MADRID, thereby causing a collision between the two vehicles at or near the Chicago Street exit, in the City of Joliet, State of Illinois.

13. On October 29, 2016, and at all times relevant herein, it was the duty of Defendant, LATRELL STRICKLAND, to exercise ordinary care in the operation of his motor vehicle so as not to cause injuries and/or damages to others, including Plaintiff, JESUS MADRID.

14. On October 29, 2016, and at all times relevant herein, Defendant, LATRELL STRICKLAND, committed one or more of the following careless and negligent acts and/or omissions:

- a. Operated his motor vehicle without maintaining a proper and sufficient lookout;
- b. Failed to use his turn signal before changing lanes in violation of 625 ILCS 5/11-804;
- c. Failed to apply the brakes of said vehicle to avoid a collision;

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- d. Failed to maintain proper control over said vehicle so as to avoid a collision;
- e. Drove at a speed which was greater than was reasonable in violation of 625 ILCS 5/11-601;
- f. Failed to keep his vehicle within a marked lane and otherwise changed lanes when same was not safe and proper in violation of 625 ILCS 5/11-709;
- g. Failed to yield the right-of-way so as to avoid a collision; and
- h. Was otherwise careless and/or negligent.

15. As a proximate cause of one or more of the aforesaid careless and negligent acts and/or omissions of Defendant, LATRELL STRICKLAND, Plaintiff, JESUS MADRID, was injured and suffered damages.

WHEREFORE, Plaintiff, JESUS MADRID, prays for the entry of a verdict and judgment against Defendant, LATRELL STRICKLAND, for a sum in excess of the jurisdictional limits of the Law Division of the Circuit Court of Cook County, Illinois, and in an amount which will reasonably and fairly compensate Plaintiff for the injuries and damages sustained.

COUNT II
(US XPRESS LEASING, INC.)

NOW COMES Plaintiff, JESUS MADRID, by his attorneys, TARPEY, JONES & SCHROEDER, LLC and the LAW OFFICE OF M. ANDREW HAMILTON, P.C., and complains of Defendant, US XPRESS LEASING, INC., a corporation, and states as follows.

1-12. Plaintiff, JESUS MADRID, adopts and incorporates by reference those allegations contained in Paragraphs 1 through 12 of Count I as and for his allegations contained in Paragraphs 1 through 12 of Count II as though fully set forth herein.

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13. On October 29, 2016, and at all times relevant herein, it was the duty of Defendant, US XPRESS LEASING, INC., a corporation, by and through its agent and/or employee, LATRELL STRICKLAND, to exercise ordinary care for the safety of all persons upon the roadway, including Plaintiff, JESUS MADRID.

14. On October 29, 2016, and at all times relevant herein, Defendant US XPRESS LEASING, INC., a corporation, by and through its agent and/or employee, LATRELL STRICKLAND, committed one or more of the following careless and negligent acts and/or omissions:

- a. Operated a motor vehicle without maintaining a proper and sufficient lookout;
- b. Failed to use a turn signal before changing lanes in violation of 625 ILCS 5/11-804;
- c. Failed to apply the brakes of said vehicle to avoid a collision;
- d. Failed to maintain proper control over said vehicle so as to avoid a collision;
- e. Drove at a speed which was greater than was reasonable in violation of 625 ILCS 5/11-601;
- f. Failed to keep its vehicle within a marked lane and otherwise changed lanes when same was not safe and proper in violation of 625 ILCS 5/11-709;
- g. Failed to yield the right-of-way so as to avoid a collision; and
- h. Was otherwise careless and/or negligent.

15. As a proximate cause of one or more of the aforesaid careless and negligent acts and/or omissions of Defendant, US XPRESS LEASING, INC., a corporation, by and through its agent and/or employee, LATRELL STRICKLAND, Plaintiff, JESUS MADRID, was injured and suffered damages.

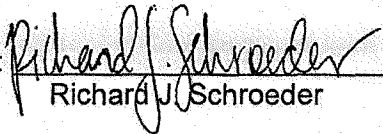
WHEREFORE, Plaintiff, JESUS MADRID, prays for the entry of a verdict and

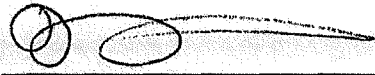
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judgment against Defendant, US XPRESS LEASING, INC., a corporation, for a sum in excess of the jurisdictional limits of the Law Division of the Circuit Court of Cook County, Illinois, and in an amount which will reasonably and fairly compensate Plaintiff for the injuries and damages sustained.

TARPEY, JONES & SCHROEDER, LLC,

M. ANDREW HAMILTON, P.C.,

By: 
Richard J. Schroeder

By: 
M. Andrew Hamilton

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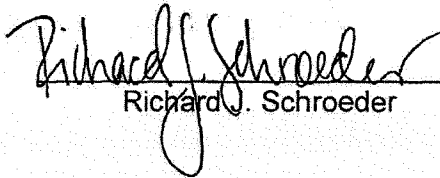
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ILLINOIS SUPREME COURT RULE 222 AFFIDAVIT

The undersigned attorneys, Richard J. Schroeder and M. Andrew Hamilton, hereby certify pursuant to Illinois Supreme Court Rule 222(b) that the total amount of money damages sought in the above-captioned matter does exceed \$50,000.00.

VERIFICATION BY CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certify that the statements set forth in this affidavit are true and correct, except as to matters therein stated to be on information and belief, and as to such matters the undersigned certify that they verily believe the same to be true.


Richard J. Schroeder


M. Andrew Hamilton

EXHIBIT B



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Affidavit of Compliance for Service of Process on Non-resident

To effect service: please serve the Office of the Secretary of State with 2 copies of the summons, 1 copy of the complaint, and a fully executed Affidavit of Compliance. Fee: \$5.

Pursuant to Section 10-301 of the Illinois Vehicle Code (Chapter 625, Section 5/10-301, Illinois Compiled Statutes, Service of Process on Non-resident), the undersigned states that:

1. I am (plaintiff/attorney for plaintiff) in the following named case:

Jesus Madrid vs. Latrell Strickland No. 17L 000050
First Named Plaintiff Defendant to be Served

2. This cause of action arises from the use and operation, by the defendant to be served or his duly authorized agent or employee, of a vehicle over or upon the highways of the State of Illinois, which resulted in damage or loss to the person or property of (the undersigned/client of the undersigned). (Strike inapplicable term.)
3. The defendant to be served through the Secretary of State falls under one of the following: (check appropriate box)
- a) ☒ At the time of the accident the defendant was and remains a non-resident of this state, or
 - b) ☐ Was a resident of this state at the time the cause of action arose but has subsequently become a non-resident of this state, or
 - c) ☐ At the time the cause of action arose, the vehicle was owned by a non-resident and was being operated over and upon the highways of this state with the owner's express or implied permission.
4. The undersigned makes this affidavit for the purpose of inducing the Secretary of State to accept service of process on behalf of the named defendant herein according to the provisions of Section 10-301 of the Illinois Vehicle Code. These provisions are applicable to the instant proceeding. The undersigned has complied with and will continue to comply with all of the requirements of said Section. Further, these provisions require notice of such service and a copy of the process to be sent by registered mail within 10 days by the plaintiff to the defendant at his/her last known address, with the plaintiff's Affidavit of Compliance appended to the summons.
5. The undersigned is aware that **any person instituting any action, suit or proceeding who uses Section 10-301 of the Illinois Vehicle Code to effect service of process, shall be liable for attorney's fees and costs of the defendant if the court finds that the person instituting the action knew or should have known that this section is not applicable for effecting service in such action.**

The undersigned affirms, under penalties of perjury, that the facts stated herein are true.

[Signature] 1/18/17
Signature of Affiant Date

Subscribed before me this 18th day of January, 2017.

[Signature]
Notary Public

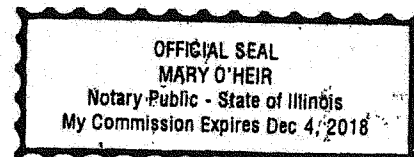


EXHIBIT C



Tennessee Secretary of State

Tre Hargett

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Business Entity Detail

Available
Entity
Actions

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Entity details cannot be edited. This detail reflects the current state of the filing in the system.

Return to the [Business Information Search](#).

000226737: For-profit Corporation - Domestic

[Printer Friendly Version](#)

Name: U. S. XPRESS LEASING, INC.

Status: Active

Initial Filing Date: 03/22/1990

Formed In: TENNESSEE

Delayed Effective Date:

Fiscal Year Close: December

AR Due Date: 04/01/2017

Term of Duration: Perpetual

Inactive Date:

Principal Office: ATTN: SUSAN BAILEY MULLINAX
4080 JENKINS RD
CHATTANOOGA, TN 37421-1174 USA

Mailing Address: ATTN: SUSAN BAILEY MULLINAX
4080 JENKINS RD
CHATTANOOGA, TN 37421-1174 USA

AR Exempt: No

Obligated Member Entity: No

Shares of Stock: 500

[Assumed Names](#)

[History](#)

[Registered Agent](#)

Name

Status

Expires

No Assumed Names Found...

Division of Business Services
312 Rosa L. Parks Avenue, Snodgrass Tower, 6th Floor
Nashville, TN 37243
615-741-2286
8:00 a.m. until 4:30 p.m. (Central) Monday - Friday.
[Directions](#) | [State Holidays](#) | [Methods of Payment](#)

Business Filings and Information (615) 741-2286 | TNSOS.CORPINFO@tn.gov

Certified Copies and Certificate of Existence (615) 741-6488 | TNSOS.CERT@tn.gov